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AZ CORP COMMISSION  
DOCKET CONTROL

8 Counsel for George T. Simmons and Janet B. Simmons

9 **BEFORE THE ARIZONA CORPORATION COMMISSION**

10 **COMMISSIONERS**

11 DOUG LITTLE, Chairman  
12 BOB STUMP  
13 BOB BURNS  
14 TOM FORESE  
15 ANDY TOBIN

16 In the matter of:

DOCKET NO. S-20938A-15-0308

17 USA BARCELONA REALTY ADVISORS,  
18 LLC, an Arizona limited liability company,  
19 USA BARCELONA HOTEL LAND  
20 COMPANY I, LLC, an Arizona limited liability  
21 company,  
22 RICHARD C. HARKINS, an unmarried man,  
23 ROBERT J. KERRIGAN (CRD no. 268516)  
24 An unmarried man,  
25 GEORGE T. SIMMONS and JANET B.  
26 SIMMONS, husband and wife,  
27 BRUCE ORR, an unmarried man,

**RESPONDENT'S SUPPLEMENTAL  
LIST OF WITNESSES AND  
DOCUMENTARY EVIDENCE**

Arizona Corporation Commission

**DOCKETED**

APR 04 2016

DOCKETED BY	
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Mr. Simmons.

28 Respondent George T. Simmons, for himself and the marital community with his wife Janet  
B. Simmons ("**Mr. Simmons**"), submits the following list of witnesses and documentary evidence

1 for the hearing scheduled to begin on May 9, 2016, at 10 a.m. before Administrative Law Judge  
2 Mark Preny.

3 Mr. Simmons reserves the right to use additional exhibits that may be collected or identified  
4 between the date of this list and the close of hearing. Mr. Simmons also reserves the right to use  
5 exhibits that are not listed for purposes of rebuttal. This list is subject to amendment and/or  
6 supplement at any time prior to or during the scheduled hearing.  
7

8 Mr. Simmons has not yet decided which particular witnesses he will use at trial, but it  
9 expects to select from the following list:

- 10 1. Richard C. Harkins;
- 11 2. Robert J. Kerrigan;
- 12 3. George T. Simmons;
- 13 4. Bruce L. Orr;
- 14 5. Paul Meka;
- 15 6. Rodney L. Eaves;
- 16 7. Jeffery S. Teets;
- 17 8. Patrick McDonough;
- 18 9. James L. Wilkerson;
- 19 10. Steven R. Chanen;
- 20 11. Any offeree or purchaser of promissory notes or membership interests allegedly sold  
21 by USA Barcelona Realty Advisors, LLC and/or USA Barcelona Hotel Land  
22 Company I, LLC and listed on the attached Preliminary List of Witnesses (the  
23 "PLW") prepared by the Securities Division of the Arizona Corporation Commission  
24 (the "Division");  
25  
26  
27  
28

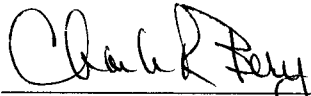
- 1 12. Any witnesses called by the Division or listed on the PLW;  
2 13. Any custodian of records necessary for the introduction of business records;  
3 14. Any witnesses necessary to lay foundation; and  
4 15. Any witnesses necessary for rebuttal.  
5

6 Mr. Simmons expects to utilize documentary evidence as follows:

- 7 1. Mr. Simmons reserves the right to use any documents identified or submitted by the  
8 Division in this proceeding, as listed on the Division's Preliminary List of Exhibits  
9 dated March 10, 2016 or in any other list of exhibits submitted by the Division,  
10 whether or not introduced by the Division.  
11 2. Mr. Simmons may use additional exhibits that may be produced or obtained between  
12 this date and the close of the hearing.  
13

14 DATED this 29<sup>th</sup> day of March, 2016.

15 Clark Hill PLC  
16

17  
18 By:   
19 Charles R. Berry, 003379  
20 Stanley R. Foreman, 032320  
21 14850 N. Scottsdale Road, Suite 500  
22 Scottsdale, AZ 85254  
23 Counsel for Respondents  
24 George T. Simmons and  
25 Janet B. Simmons  
26  
27  
28

1 ORIGINAL and thirteen copies of the foregoing  
2 filed this 29 day of March, 2016 with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, AZ 85007

7 COPY of the foregoing hand-delivered  
8 This 29 day of March, 2016 to:

9 Matthew J. Neubert  
10 Director of Securities  
11 Securities Division  
12 Arizona Corporation Commission  
13 1300 W. Washington Street, 3<sup>rd</sup> Floor  
14 Phoenix, AZ 85007

15 Hearing Officer  
16 Hearing Division  
17 Arizona Corporation Commission  
18 1200 W. Washington Street  
19 Phoenix, AZ 85007

20 Paul Kitchin  
21 Securities Division  
22 Arizona Corporation Commission  
23 1300 W. Washington, 3<sup>rd</sup> Floor  
24 Phoenix, AZ 85007

25 COPY of the foregoing mailed  
26 this 29 day of March, 2016 to:

27 USA Barcelona Realty Advisors, LLC  
28 c/o Richard C. Harkins  
4422 East Lupine Avenue  
Phoenix, AZ 85028

USA Barcelona Hotel Land Company I, LLC  
c/o Richard C. Harkins  
4422 East Lupine Avenue  
Phoenix, AZ 85028

Richard C. Harkins  
4422 East Lupine Avenue  
Phoenix, AZ 85028

1 Robert J. Kerrigan  
2 8062 East Del Tornasol Drive  
3 Scottsdale, AZ 85258

4 Bruce Orr  
5 3757 Falcon Avenue  
6 Long Beach, CA 90807

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**Securities Division's Preliminary List of Witnesses**  
**In the Matter of USA Barcelona Realty Advisors, LLC *et al.***  
**S-20938A-15-0308**

The Division has not yet decided which particular witnesses it will call at the hearing, but it expects to select from the following list:

- 1) Richard C. Harkins, respondent;
- 2) Robert J. Kerrigan, respondent;
- 3) George T. Simmons, respondent;
- 4) Bruce L. Orr, respondent;
- 5) Paul Meka, former employee;
- 6) Patrick McDonough, former employee;
- 7) Steven Chanen, Chanen Construction;
- 8) Kathleen Carolin, investor;
- 9) Richard Woods, investor;
- 10) William Jordan, investor;
- 11) Richard Andrade, investor;
- 12) Rodney Eaves, investor;
- 13) Pam Stewart, investor;
- 14) Dee Morin, former Securities Division Special Investigator;
- 15) Darius Taylor, Securities Division Special Investigator;
- 16) Avi Beliak, CPA, CFE, Securities Division Forensic Accountant;
- 17) Any Custodian(s) of Records necessary for the introduction of business records;
- 18) Any witness(es) necessary to lay foundation;
- 19) Any witness(es) necessary for rebuttal; and
- 20) Any witness(es) listed by Respondents.

The above list is subject to amendment and/or supplementation at any time prior to or during the scheduled hearing.